

Nebraska Board of Geologists
Board Meeting Minutes
July 16, 2015
215 Centennial Mall South, Large Conference Room, Lincoln, NE

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, Lincoln, Nebraska. Chairperson Martin called the meeting to order at 1:00pm and noted the location of the Open Meetings Act. Notice of the meeting was published on the Board's website and in the Lincoln Journal Star.

Roll Call: Andrew Grimm, Charles Joyce, Martha Link, Harmon Maher, Ralph Martin, David Svingen; Absent: Correll

Staff Present: Jean Lais, Administrative Assistant (AA); Sandra Weaver, Administrator (AD); Lisa Mathews, Compliance Officer (CO)

Public Comment/Appointments

No members of the public were present

A Consent Agenda

Meeting Minutes

April 2, 2015, Public Rules Hearing Minutes were approved as corrected by Svingen

April 2, 2015, meeting minutes were approved as presented

Certificates of Authorization Approvals – None

Renewal Disclosures – None

Action Motion by Link, second by Maher to approve the Consent Agenda as discussed. Voting Yes: Joyce, Link, Maher, Svingen, Grimm, Martin; Voting No: None; Absent: Correll

B Committee Reports

Officers Report - None

ASBOG

A copy of an email and revised event calendar received from ASBOG was included. Beginning in 2016, the Spring Examinations will be given during the third week of March instead of the second week. The Annual Meeting is being moving to August with a session designed specifically for board administrators.

Office/Staff – None

C Old Business

Governance Issues – None

Geologist Items

Website Redesign

AA Lais reported PIO Fetterman has been occupied with several projects for the Board of Engineers and Architects (NBEA), therefore, no significant work has been made.

Discussion was held for possibly contracting with ne.gov to develop a new website similar to the new NBEA site. AA Lais will contact them and get pricing.

D New Business

Governance Issues – None

Geologist Items

Approval of Delegates to the ASBOG Fall COE/Annual Meeting, November 11-14, 2015, Newark, DE

The Board approved Svingen and Joyce to attend the COE. The Board approved Joyce and AA Lais to attend the Annual Meeting. Joyce will be the Voting Delegate at the Annual Meeting.

Action Motion by Maher, second by Link to approve Svingen and Joyce to attend the COE Workshop, Joyce and AA Lais to attend the Annual Meeting, and for Joyce to be the

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Voting Delegate at the Annual Meeting. Voting Yes: Joyce, Link, Maher, Svingen, Grimm, Martin; Voting No: None; Absent: Correll

Review and Approval of New Seal Requirement Letter

Due to the changes in Rule 3.9.1 which went into effect June 28, 2015, regarding the information to be included on a licensee's seal, AA Lais presented a draft notification letter to be sent to all licensees notifying them of such and the need to procure a new seal if necessary. Chairperson Martin will work on language regarding the use of the seal to be included on the letter.

Action Motion by Svingen, second by Grimm to approve the letter as drafted and mail to all Nebraska licensees. Voting Yes: Joyce, Link, Maher, Svingen, Grimm, Martin; Voting No: None; Absent: Correll

Action Motion by Maher, second by Grimm to add information on the use of a licensee's seal based on §§81-3515, 81-3529(3)(c&d), and Rule 3.9.4 to the New Seal Letter. Voting Yes: Joyce, Link, Maher, Svingen, Grimm, Martin; Voting No: None; Absent: Correll

Discussion of Licensing Fees for application prior to June 28, 2015

Due to the reduction in fees and the elimination of the licensing fee as of June 28, 2015, discussion was held as to how the board wanted to handle applications which were received prior to this date. Applicants who submitted an application prior to June 28th only paid a \$50 application fee and would have needed to pay a \$240 licensing fee once approved. With the June 28th changes, the licensing fee was eliminated and the application fee was changed to \$100.

The Board determined those who submitted their application prior to June 28, 2015, would not be required to pay any additional fees since there is no longer a licensing fee.

Strategic Plan

No discussion or action

CO Mathews entered the meeting at 1:25pm

E Compliance

New Cases

Case 15.01

CO Mathews received an inquiry as to whether a Tier 1 report for the Nebraska Department of Environmental Quality (NDEQ) was required to be sealed by a licensed geologist. NDEQ does not require a seal. The individual who prepared the report is a Nebraska licensee.

Link informed the members that NDEQ statutes and rules typically do not require a seal from a licensed geologist.

Svingen pointed out that Rule 3.9.4 does require a geologist to seal reports submitted to governmental agencies. In addition §81-3529(c) also requires a licensee to seal all technical submissions and calculations when being presented to any public or governmental agency.

After reviewing the information requested on the report, the Board determined that the practice of geology had to be performed to obtain such information, and therefore, should have been sealed.

The Board determined a letter should be written to the licensee stating that even though NDEQ does not require the report to be sealed, the Board's statutes and rules do and all such reports should be sealed in the future. The Board also determined this is not a compliance issue and will not be pursued.

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The Board also determined communication needs to be sent to all licensees reminding them of the requirements for sealing documents. This will be accomplished by amending the New Seal Design letter to include a paragraph on the requirements.

The Board also directed CO Mathews to work with NDEQ on the Board's expectations and requirements since these types of reports include the practice of geology.

CO Mathews left the meeting at 1:55p

F Applications

Licensure/Examination

Core Course Equivalency Chart and Rational for Core Courses provided for review

Applications for **Licensure by Reciprocity**

Approved: Ryan Athey, WY; Theresa Ferguson, KS; Jeffrey Fitzgibbons, CO; Michael Kirby, KS; James Kruse, WY; Richard O'Keefe III, GA; Heather Wood, CO

Applications for **Licensure by Experience**

Approved: Randall March, CO

Applications for **Licensure Reinstatement** – *None*

Applications to sit for the **ASBOG FG Exam**

Approved: Colby Osborn, NE; Michele Waszgis, NE

Applications to sit for the **FG/PG ASBOG Exams**

Approved: Daniel Kroll, NE; Aaron Young, NE

Applications to sit for the **PG ASBOG Exam**

Approved: Jeremy Davis, NE; Anthony Keber Jr, NE

Action Motion by Svingen, second by Maher to approve the applications as reviewed and discussed. Voting Yes: Joyce, Link, Maher, Svingen, Grimm, Martin; Voting No: None; Absent: Correll

AD Weaver entered the meeting at 1:58pm

G Financial Matters

Budget Status Report – April, May, June 2015

MTD General Ledger Detail Report – April, May, June 2015

Fund Summary Report – April, May, June 2015

Financial Profile FY 2014/2015 – April, May, June 2015

AD Weaver reported 2014/2015 expenses were 94.17% of the allotted appropriation. There was \$1,781.61 which was not spent. Revenue ended at 107% of the projected income. The Cash Fund is at \$75,418 as of June 30th. This is approximately 2.5 times the current appropriations.

AD Weaver discussed the budget for the coming fiscal year. The appropriation for FY15/16 is \$29,095 which is the total amount the Board had requested. She provided a spread sheet showing how staff has divided the funds with additional funds being added to e-commerce and travel.

Svingen questioned how quickly should the cash fund decrease to be at two-times the appropriations per Policy G-P08.01. Weaver informed that as long as it shows a steady decrease there should not be any issues.

Other Financial Matters - *None*

Action Motion by Link, second by Maher to approve the Financial Matters as presented. Voting Yes: Joyce, Link, Maher, Svingen, Grimm, Martin; Voting No: None; Absent: Correll

AD Weaver left the meeting at 2:15pm

H General Information

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Public Notice publication as submitted to the Lincoln Journal Star provided for review.

Board meetings and schedule provided for review

Roster of Board members provided for review

Licensing Trends

Trends in Licensure and Fiscal Activity Reports provided for review

Other

March 2015 ASBOG Exams Results & Statistics provided for review

Approved Board Policies & Record of Board Action to Change Statutes and Rules & Regulations provided for review

Adjournment: Motion by Link, second by Maher to adjourn the meeting at 2:28pm

The next Board of Geologist board meeting will be held on October 8, 2015 at 1:00pm at 215 Centennial Mall South, Lincoln, Nebraska, fifth floor, large conference room.



10/08/2015

Board Member

Date